

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION
IN ADMIRALTY**

In the Matter of the Complaint of Theresa Tran and Chicago AquaLeisure, LLC, individually and as owners and/or owner *pro hac vice* of the vessel LA AQUAVIDA, Official Number GFNCY003E20 & DOCUMENTATION #1155272, for Exoneration from or Limitation of Liability

No. 1:22-CV-6478

**LIMITATION PLAINTIFFS' NOTICE OF COMPLIANCE
WITH SUPPLEMENTAL ADMIRALTY RULES F(4) AND F(6)**

NOW COME Limitation Plaintiffs Theresa Tran and Chicago AquaLeisure, LLC (hereinafter, individually, a “Limitation Plaintiff”, and collectively, the “Limitation Plaintiffs”), as, respectively, owner and owner *pro hac vice* of the 2003 Four Winns 348 Vista, 37’ LOA, (Hull Identification Number: GFNCY00CE203, Illinois Registration: IL3097KJ, hereinafter, the “Limitation Vessel”), in this action for exoneration from or limitation of liability arising from an accident that occurred on August 13, 2022 on Lake Michigan, near an area commonly known as “The Playpen” in Chicago, Illinois (hereinafter, “the Accident”), and file this Notice to inform the Court that they have complied with Supplemental Admiralty Rules F(4) and F(6) of the Federal Rules of Civil Procedure.

1. Limitation Plaintiffs filed a Complaint in Admiralty, pursuant to 46 U.S.C. §§ 30501 *et seq.*, claiming the right of exoneration from or limitation of liability for any and all claims arising from an accident that occurred on August 13, 2022 on Lake Michigan, near an area commonly known as “The Playpen” in Chicago, Illinois (hereinafter, “the Accident”), The

Complaint in Admiralty was filed on November 18, 2022, pursuant to Supplemental Admiralty Rule F(1). *See* ECF No. 1.

2. On November 21, 2022, Limitation Plaintiffs filed their Motion for (1) Approval of Stipulation for Value and Costs, (2) Order Restraining All Suits and Directing Monition to Issue, and (3) Order Directing Execution of Monition and Publication of No. *See* ECF No. 7.

3. On November 28, 2022, the Court entered an Order Restraining All Suits and Directing Monition to Issue (ECF No. 11) and an Order Accepting Security (ECF No. 12), and the Clerk of Court issued a Notice of Complaint. (ECF No. 13).

4. The Monition Order, ECF No. 11, directed potential claimants to file their claims with the Clerk of this Court, in the United States District Court for the Northern District of Illinois, and serve on Limitation Plaintiffs' counsel a copy thereof on or before January 25, 2023, or be defaulted. *See* ECF No. 11, at 2. The Monition Order also directed Limitation Plaintiffs to publish the notice specified in the Publication Order in the *Chicago Daily Law Bulletin* and a newspaper of general circulation in the city of Chicago once per week for four (4) consecutive weeks before January 25, 2023, and to mail a copy of the notice to two known potential claimants, Lana Batochir and Marija Velkova, no later than the day of the second publication. *See id.* at 2.

5. During the intermediate period between November 28, 2022, and January 25, 2023, in compliance with Supplemental Rule F(4) and the Publication Order, the required notice was published in the *Chicago Daily Law Bulletin* once per week for four (4) consecutive weeks. The required notice was published on December 22, 2022, December 29, 2022, January 5, 2023 and January 12, 2023. A true and correct copy of the publication affidavit from the *Chicago Daily Law Bulletin* is attached hereto as **Exhibit 1**.

6. During the intermediate period between November 28, 2022, and January 25, 2023, in compliance with Supplemental Rule F(4) and the Publication Order, the required notice was published in the *Chicago Tribune*, a newspaper of general circulation in the City of Chicago, once per week for four (4) consecutive weeks. The required notice was published on December 22, 2022, December 29, 2022, January 5, 2023 and January 12, 2023. A true and correct copy of the publication affidavit from the *Chicago Tribune* is attached hereto as **Exhibit 2**.

7. Pursuant to Supplemental Rule F(4) and the Publication Order, on December 20, 2022, counsel for Limitation Plaintiffs mailed and emailed a copy of the notice and other pertinent documents to counsel for the known potential claimants, Lana Batochir and Marija Velkova. A true and correct copy of those letters are attached hereto as **Exhibits 3 and 4**. There are no other known potential claimants as of the day of the second publication or the date of this Notice.

8. On January 25, 2023, Claimant Lana Batochir filed her Claim and Answer. *See* ECF Nos. 16,17.

9. On January 25, 2023, Claimant Marija Velkova filed her Claim and Answer. *See* ECF Nos. 19, 20.

10. On January 30, 2023, counsel for Limitation Plaintiffs mailed and emailed a letter containing the information required by Supplemental Rule F(6), along with a copy of the Claims, to counsel for the known claimants, Lana Batochir and Marija Velkova. A true and correct copy of those letters are attached hereto as **Exhibits 5 and 6**.

11. There are no other known claimants and no other claims have been filed in this matter.

Dated: February 3, 2023.

Respectfully Submitted,

/s/ Robert J. Franco

One of the Attorneys for the Limitation
Plaintiffs Chicago AquaLeisure, LLC and
Theresa Tran

Robert J. Franco
John J. Moroney
Randall W. Slade
Franco Moroney Buenik, LLC
500 West Madison Street, Suite 3900
Chicago, Illinois 60661-2510
(312) 469-1000
Robert.franco@francomoroney.com
John.moroney@francomoroney.com
Randall.slade@francomoroney.com